

# United States District Court

EASTERN DISTRICT OF TEXAS

SHERMAN DIVISION

FRANK PATE, ET AL.

§

§

V.

§

§

MICHAEL ZIENTZ, ET AL.

§

CASE NO. 4:09cv643 (LEAD)

§

4:10cv201

§

(Judge Schneider/Judge Mazzant)

FRANK and LEILA PATE

§

§

v.

§

§

AMERIQUEST MORTGAGE COMPANY,

§

CHASE HOME FINANCE

§

## **MEMORANDUM ADOPTING REPORT AND RECOMMENDATION OF THE UNITED STATES MAGISTRATE JUDGE**

Came on for consideration the report of the United States Magistrate Judge in this action, this matter having been heretofore referred to the United States Magistrate Judge pursuant to 28 U.S.C. § 636. On August 27, 2010, the report of the Magistrate Judge was entered containing proposed findings of fact and recommendations that the Motion for Default Judgment in Favor of Plaintiffs (Dkt. #23) should be DENIED.

Having received the report of the United States Magistrate Judge, and no objections thereto having been timely filed, this Court is of the opinion that the findings and conclusions of the Magistrate Judge are correct and adopts the Magistrate Judge's report as the findings and conclusions of the Court.

It is, therefore, **ORDERED** that the Motion for Default Judgment in Favor of Plaintiffs (Dkt. #23) is DENIED.

**IT IS SO ORDERED.**

**SIGNED this 21st day of September, 2010.**

  
MICHAEL H. SCHNEIDER  
UNITED STATES DISTRICT JUDGE